

Document No. 3927
Adopted at Meeting of 4/17/80
COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8072, page 276, an Order of Taking dated September 15, 1966, concerning and describing the SOUTH COVE URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof;

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40; and

WHEREAS, the New England Medical Center hereby releases the Boston Redevelopment Authority, its successors and assigns of and from any and all future claims, suits or actions for damages or hardship which had or might arise as a result of this taking.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes herein-

before set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including any trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate

seal of the Authority to be hereto affixed and these presents to
be signed in the name and behalf of the Boston Redevelopment
Authority.

DATED: APR 17 1980

BOSTON REDEVELOPMENT AUTHORITY

By:

Robert L. Faneuil

James H. Colbert

James K. Flaherty

James C. Appleton

ATTEST:

Karen Sumner

Secretary of the Boston Redevelopment
Authority

Approved as to form:

Harold J. Carroll

Harold J. Carroll, Chief General Counsel ^{ESC}

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is taken by this Order of

Taking:

Boston Redevelopment Authority Parcel P7a, containing approximately 5,787 square feet, as shown on a plan entitled, "Boston Redevelopment Authority, South Cove Urban Renewal Area, Mass. R-92, Parcel P7a Taking Plan, Boston (Suffolk County), Massachusetts," dated May 6, 1980, prepared by Universal Engineering Corp., Boston, Mass., which plan is recorded herewith. Parcel P-7a is bounded and described as follows:

Beginning at the northwesterly corner of Parcel P7a, said point being the intersection of the easterly line of Tremont Street and the proposed southerly line of Stuart Street and leaving said intersection, running along said proposed southerly line of Stuart Street, south $85^{\circ}-49'-58''$ east, 20.90 feet to a point of curvature;

thence by a curve to the right of 1,957.00 feet radius, 112.13 feet to the point of tangency;

thence leaving said proposed southerly line of Stuart Street and running along other land of the Boston Redevelopment Authority south $19^{\circ}-02'-02''$ west, 47.74 feet to a point on the southerly line of Dore Street;

thence running along said southerly line of Dore Street and land of New England Medical Center Hospital, (Wilbur Theatre) north $82^{\circ}-03'-27''$ west, 126.20 feet to a point on the easterly line of Tremont Street;

thence running along said easterly line of Tremont Street north $11^{\circ}-23'-13''$ east, 41.37 feet to the northwesterly corner of Parcel P7a and the point of beginning.

The owner of the parcel of land hereby taken is unknown.

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

No Awards are to be made with this Order of Taking.